

# **CITY COUNCIL AGENDA**

**MARCH 8, 2005**

LINDA J. LE ZOTTE  
FORREST WILLIAMS  
CINDY CHAVEZ, VICE MAYOR  
CHUCK REED  
NORA CAMPOS

DISTRICT 1  
DISTRICT 2  
DISTRICT 3  
DISTRICT 4  
DISTRICT 5

RON GONZALES MAYOR

KEN YEAGER  
VACANT  
DAVID D. CORTESE  
JUDY CHIRCO  
NANCY PYLE

DISTRICT 6  
DISTRICT 7  
DISTRICT 8  
DISTRICT 9  
DISTRICT 10

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- ***Strategic Support Services*** — The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- ***Economic and Neighborhood Development*** — Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.
- ***Recreation and Cultural Services*** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- ***Transportation Services*** — A safe and efficient transportation system that contributes to the livability and economic health of the City.
- ***Environment and Utility Services*** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- ***Aviation Services*** — Provide for the air transportation needs of the community and the region at levels that are acceptable to the community.
- ***Public Safety Services*** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

Items listed in Section 10 require approval of both the City Council and the San José Redevelopment Agency Board.

You may speak to the City Council about any item that is on the agenda, and you may also speak on items that are not on the agenda during Open Forum. If you wish to speak to the City Council, please refer to the following guidelines:

1. **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item/s that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
2. When the Council reaches your item on the agenda, Mayor Ron Gonzales will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table.
3. Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
4. To assist you in tracking your speaking time, there are three lights located to the far right of the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

**The San José City Council meets every Tuesday at 1:30 p.m. and every first and third Tuesday at 7 p.m., unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.**

Agendas and Staff Reports for City Council items may be viewed on the Internet at [www.sanjoseca.gov/clerk/agenda.htm](http://www.sanjoseca.gov/clerk/agenda.htm)

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call 1 (408) 277-4424 or 1 (408) 998-5299 (TTY) at least two business days before the meeting.

On occasion the City Council may consider agenda items out of order.

- **Call to Order and Roll Call**  
9:30 a.m. - Closed Session, Room 600, City Hall  
[See Separate Agenda](#)  
1:30 p.m. - Regular Session, Council Chambers, City Hall
- **Invocation (District 3)**
- **Pledge of Allegiance**
- **Orders of the Day**

Items marked with an asterisk denote changes or additions to the previously published Agenda for this meeting.

**ITEM 10.1 IS TO BE CONSIDERED IN A JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD SESSION.**

**Items recommended to be added, dropped, or deferred are usually approved under Orders of the Day unless the Council directs otherwise.**

## **1 CEREMONIAL ITEMS**

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- \*1.1** Presentation of a proclamation declaring the week of March 6-12, 2005 as Irish Week in the City of San José. (LeZotte)  
(Rules Committee referral 3/2/05)

## **2 CONSENT CALENDAR**

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**Notice to the public:** There will be no separate discussion of Consent Calendar items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council, staff, or public requests discussion on a particular item, that item will be removed from the Consent Calendar and considered separately.

### **2.1 Approval of Minutes.**

## **2.2 Final adoption of ordinances.**

## 2 CONSENT CALENDAR

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### 2.3 Approval of an agreement for the Human Resources/Payroll Management System.

- \* **Recommendation:** Adoption of a resolution authorizing the City Manager to negotiate and execute a consultant contract with Cedar Enterprise Solutions, Inc. for the implementation of the eBenefits module in the City's Human Resources/Payroll Management System from the date of execution to December 31, 2005 for an amount not to exceed \$183,040. CEQA: Not a Project. (Employee Services)

### 2.4 Approval of open purchase orders for the purchase of supplies, materials, equipment and services.

**Recommendation:** Approval of award of open purchase orders for supplies, materials, equipment, and services for FY 2004-2005 #11 and authorization for the Director of General Services to execute the purchase orders. CEQA: See memo for CEQA designation(s). (General Services)

### 2.5 Approval to vacate a portion of East William Street.

**Recommendation:** Adoption of a resolution summarily vacating a portion of East William Street immediately east of South Third Street. CEQA: Resolution No. 68839 and Addendum thereto, PDC02-083. Council District 3. SNI: University. (Public Works)

### 2.6 **Approval of Vice Mayor Chavez's travel to Washington D.C., as amended.**

- \* **Recommendation:** Approval of Vice Mayor Chavez's travel to Washington D.C. on March 6-9, 2005, for the purpose of participating in the American Public Transportation Association (APTA) Legislative Conference. Funding: VTA. (Note previous request for travel was for March 6-8, 2005; this request extends the trip by one additional day.) (Chavez)  
(Rules Committee referral 3/2/05)

### 2.7 Approval of an agreement for artwork for the new Alum Rock Branch Library.

- \* **Recommendation:** Approval of an agreement with artists Jim Hirschfield and Sonya Ishii to fabricate and install a public artwork for the new Alum Rock Branch Library, in an amount not to exceed \$147,694. CEQA: Negative Declaration, H020-064. Council District 5. (Cultural Affairs)  
(Rules Committee referral 3/2/05)

## 3 STRATEGIC SUPPORT SERVICES

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### 3.1 **Report of the Study Session Mayor Gonzales, Chair**

3.2 [Report of the Rules Committee](#) – February 23, 2005  
Vice Mayor Chavez, Chair

- (a) Redevelopment Agency items reported out at Redevelopment Agency meeting
- (b) City Council
  - (1) Review March 8, 2005 Council Agenda
  - (2) Add New Items to March 1, 2005 Amended Agenda
  - (3) List of Reports Outstanding
- \* (c) Legislative Update
  - (1) State
  - (2) Federal
    - (a) Amtrak and the Proposed FY 2006 Federal Budget
    - (b) Opposition to Elimination of the Community Development Block Grant Program in the Proposed FY 2006 Federal Budget

**SEE ITEM 3.5 FOR COUNCIL ACTION TO BE TAKEN**
- (d) Meeting Schedules
- (e) The Public Record

### 3 STRATEGIC SUPPORT SERVICES

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#### 3.2 Report of the Rules Committee – February 23, 2005 (Cont'd.)

Vice Mayor Chavez, Chair

- (f) Appointments to Boards, Commissions and Committees
  - (1) Deferred Compensation Advisory Committee Appointments
- (g) Rules Committee Reviews, Recommendations and Approvals
  - (1) Approval of Travel by Council Member Campos to Washington, D.C., March 10 –14, 2005, to attend the National League of Cities 2005 Annual Congressional City Conference.
- (h) Oral Communications
- (i) Adjournment

#### 3.3 Report of the Making Government Work Better Committee Council Member Reed, Chair

#### 3.4 [Approval of a cooperative State of California Agreement with SBC for telecommunications services.](#)

- \* **Recommendation:** Approval of a new three-year California Integrated Information Network Agreement (CALNET), a cooperative State of California Agreement with SBC for telecommunications services. (General Services/Information Technology/Finance) (Rules Committee referral 3/2/05)

#### 3.5 [Amtrak and the Proposed FY 2006 Federal Budget.](#)

- \* **Recommendation:** Adoption of a resolution requesting that the California Congressional delegation work to enact adequate funding for Amtrak in the proposed FY 2006 Federal Budget. (City Clerk)

### 4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

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#### \*4.1 Building Strong Neighborhoods Committee – February 24, 2005 Council Member Chirco, Chair

- (a) Neighborhood Development Center (NDC) Work Plan
- (b) Strong Neighborhood Initiative (SNI) Update and Discussion
- (c) Oral Petitions
- (d) Adjournment

#### 4.1 [Report of the Driving a Strong Economy Committee](#) Council Member Williams, Chair

### 5 RECREATION & CULTURAL SERVICES

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**5.1 Report of the All Children Achieve Committee  
Council Member Yeager, Chair**

**5.2 [Approval of the Master Plan for the Coyote Creek Trail Project.](#)**

[Attachment 1](#)

[Attachment 2](#)

**Recommendation:** Approval of the Master Plan for the Coyote Creek Trail Project, from Phelan Avenue (Kelley Park) to Idlewood Drive (Stonegate Park/Los Lagos Golf Course). CEQA: Mitigated Negative Declaration, PP04-02-057. Council District 7. SNI: Tully/Senter. (Parks, Recreation and Neighborhood Services)

**5.3 [Approval to establish the San José Family Camp Fees and Charges effective for the 2005 camp season.](#)**

- \* **Recommendation:** Adoption of a resolution establishing the San José Family Camp Fees and Charges effective for the 2005 camp season. CEQA: Not a Project. (Parks, Recreation and Neighborhood Services)  
(Rules Committee referral 3/2/05)

## **6 TRANSPORTATION SERVICES**

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**6.1 Report of the Building Better Transportation Committee  
Council Member Campos, Chair**



## 7 ENVIRONMENTAL & UTILITY SERVICES

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## 8 AVIATION SERVICES

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## 9 PUBLIC SAFETY SERVICES

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## 10 JOINT COUNCIL/REDEVELOPMENT AGENCY

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### CONVENE REDEVELOPMENT AGENCY BOARD TO CONSIDER ITEM 10.1 IN A JOINT SESSION

#### 10.1 [Approval of an amendment to the Conflict of Interest Codes.](#)

**Recommendation:** Adoption of resolutions by [the City Council](#) and [Redevelopment Agency](#) amending the Conflict of Interest Codes for the City of San José and the San José Redevelopment Agency. CEQA: Not a Project. (City Clerk/Redevelopment Agency)

### ADJOURN REDEVELOPMENT AGENCY BOARD PORTION OF THE MEETING

- Closed Session Report
- Notice of City Engineer's Pending Decision on Final Maps  
In accordance with Sec. 19.16.140d of the San Jose Municipal Code, this is notice of the City Engineer's pending decision on the following Final Maps:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/ Units</u>	<u>Type</u>	<u>Proposed Decision</u>
9513	US 101 (E/S) N/of Hellyer	8	William Lyon Homes	27 lots	Recreational Preserve	Approve

In accordance with Sec. 19.16.140d of the San Jose Municipal Code, this is notice of the City Engineer's receipt of the following Final Maps for review:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/Units</u>	<u>Type</u>
9644	S/S of E. Williams Ave., 400' w/o McLaughlin Ave.	3	KB Home South Bay	105 units	Single- Family
9692	S/S of Tully Road, 600' s/w Senter Road	7	ROEM	64 lots	Multi- Family

- Open Forum—To be heard jointly with Redevelopment Agency Public Discussion.
- Adjournment